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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 DWAYNE BROOKS,

14 Defendant.

CASE NO. CR19-0093JLR

ORDER DENYING MOTION  
FOR REVIEW OF DETENTION  
ORDER

15 Before the court is Defendant Dwayne Brooks's motion for release pending  
16 sentencing. (Mot. (Dkt. # 71).) Mr. Brooks was convicted on ten criminal counts in a  
17 jury trial held on February 10, 2020 to February 13, 2020. On October 19, 2020, Mr.  
18 Brooks asked the court to review his detention status. (*See* Mot. for Review (Dkt. # 64).)  
19 The court reviewed memorandums from both parties. (Def. Memo. (Dkt. # 66); Gov't  
20 Memo. (Dkt. # 67).) By written order the court denied the motion. (Order (Dkt. # 69).)

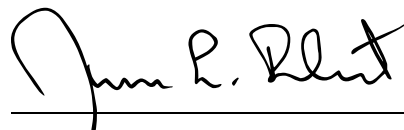
21 Mr. Brooks then filed a second Motion for Release Pending Sentencing. (*See*  
22 Mot.) Mr. Brooks submits two items of "new" information. First, he contracted COVID-

1 19 while located at the Federal Detention Center but is no longer contagious. (*Id.* at 5.)  
2 Mr. Brooks further states that he continues to suffer ill effects and attaches a widely  
3 circulated medical study about COVID-19 to his motion. (*See id.* at 5-6). Second, Mr.  
4 Brooks states that the United States of America (the “Government”) made “inflammatory  
5 and inaccurate” misrepresentations regarding his criminal history and his probation  
6 status. (Mot. at 5.)

7 The court is well acquainted with Mr. Brooks from pretrial, trial and post-trial  
8 proceedings. Further, for purposes of the motion, the court has considered the material  
9 contained in Mr. Brooks’s most recent filing. The court finds that oral argument on the  
10 motion is not necessary. Based on its review of the docket, the court determines that Mr.  
11 Brooks is a risk of nonappearance and a risk of danger to the safety of the community.  
12 Based on these determinations, the court finds there is no condition or combination of  
13 conditions that would reasonably assure future court appearances and address the safety of  
14 the community.

15 The court DENIES Mr. Brooks’s motion (Dkt. # 71) and ORDERS that Mr.  
16 Brooks continue to be detained.

17 Dated this 15th day of March, 2021.

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20 The Honorable James L. Robart  
21 U.S. District Court Judge  
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